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THE ARCHIVES OF GEORGIA.

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THE PUBLIC ARCHIVES OF GEORGIA.

BY

By ULRICH BONNELL PHILLIPS, Ph. D.

STATE ARCHIVES.

ULRICH BONNELL PHILLIPS, Ph. D.

The archives of Georgia, now preserved in the State Archives, contain a mass of official documents now to be found in America. From its first stage as a feasible and impracticable experiment through the period of the royal government, the Revolution, the Indian war, the Indian contest, the heat of political struggle, the disorders of the civil war and reconstruction, to the modern period of renewed prosperity, Georgia and its people have been always interesting, often typical of the South, and at times strikingly illustrative of the genius of the American people as a whole. Light upon nearly every part and phase of Georgia history can be had from this mass of papers, and properly supplemented by other sources, could be had from many conditions and developments in American history which have not yet received final treatment.

Reprinted from the Annual Report of the American Historical Association for the year 1908, Vol. I, pages 439-474.

Previous to the beginning of the nineteenth century when the State experienced a rapid growth as a result of the invention of the cotton gin and the spread of the plantation system and prosperity into the remote parts, Georgia was very insignificant among the American Commonwealths. Its government was rather a local administration for the Southern neighborhood than a government for a well-organized province or State. We find, accordingly, in the State Archives up to 1800, many records of a kind which in

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plete view of eighteenth century conditions in Georgia from the records in the capital alone. For the nineteenth century requisition must be made in the various quarters of the State to supplement the material in Atlanta.

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During the colonial period the seat of government in Georgia was the colony were kept at that place and part in London. At the outbreak of the Revolution in the British governor fled from Georgia. By ULRICH BONNELL PHILLIPS, Ph. D.

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STATE ARCHIVES.

The archives of Georgia, now preserved in the State capitol, comprise one of the most valuable collections of unexploited official documents now to be found in America. From its first stage as a feeble and impracticable experiment, through the period of the royal government, the Revolution, the Yazoo sale, the Indian contest, the heat of political struggles, the disasters of the civil war and reconstruction, to the modern period of renewed prosperity, Georgia and its people have been always interesting, often typical of the South, and at times strikingly illustrative of the genius of the American people as a whole. Light upon nearly every part and phase of Georgia history can be had from this mass of papers, and properly supplemented with the other sources an excellent understanding could be secured from them of many conditions and developments in American history which have not yet received final treatment.

Previous to the beginning of the nineteenth century, when the State experienced a rapid growth as a result of the invention of the cotton gin and the spread of the plantation system and prosperity into the uplands, Georgia was very insignificant among the American Commonwealths. Its government was rather a local administration for the Savannah neighborhood than a government for a well-organized province or State. We find, accordingly, in the provincial and State archives up to 1790, or later, many records of a kind which in subsequent times were made and preserved in the county and municipal offices. This makes it possible to get a fairly com-

plete view of eighteenth century conditions in Georgia from the records in the capital alone. For the nineteenth century requisition must be made upon the local archives in the various quarters of the State to supplement the material in Atlanta.

During the colonial period the seat of government in Georgia was at Savannah. Part of the records of the colony were kept at that place and part in London. At the outbreak of the Revolution in the far South, the British governor fled from Georgia, destroying the great seal and carrying away more or less of the documentary material. Soon afterwards the British army landed on the Georgia coast and the rebel government removed inland to Augusta, after hauling away the records from the threatened town of Savannah. The British advanced through Savannah toward Augusta, and the Georgia government fled into the wilderness, but sent some of the documents as far away as Maryland for safe-keeping. After the flight from Savannah the capital of Georgia was usually located at Augusta, until 1799; then it was at Louisville, in Jefferson County, until 1807; at Milledgeville, from 1807 to 1868, and has been at Atlanta since the latter date. As a result of these numerous removals, and of the destructive work of Sherman's troops in Milledgeville in 1864, sad havoc has been done among the loose documents in the archives, and a certain amount of damage has befallen even the bound material.

But in spite of these vicissitudes a large quantity of material has been preserved. In many cases where the original documents have disappeared their substance and even their form have been preserved in the volumes of record into which they were transcribed. The sets of record volumes, in fact, are fairly complete, and since this is the case the loss of the loose papers is in many cases unimportant. Perhaps the most serious loss has been that of the letters to the governors prior to about 1840, which were never transcribed and of course can not be restored.

The records of Georgia in London were once copied at the expense of the State, in accordance with an act of the legislature in 1837, but the set of volumes was loaned to Professor Seomp, of Oxford, Ga., about 1887, for use in the preparation of his book "King Alcohol in the Realm of King Cotton," and

most of them were destroyed when his residence was burned. New copies are now being made by order of the State, and portions of them will probably be published by the official compiler of records. The whole set of copies of the British documents, however, have already been utilized by Bishop Stevens and Colonel Jones in their histories of Georgia, and accordingly the new transcriptions from London will not be nearly so valuable for original research as the material already in the document rooms in Atlanta. Some of the British documents have already been printed in the unfortunately limited "Wormsloe Quartos."^a

The present arrangement of the archives in the capitol is to a large degree haphazard. Except in the case of the land records in the department of state, little system is to be discovered anywhere among the more important collections. It must be said, however, that the present writer has had to confine his investigation to the documents in the department of state and the executive department, and has left the records of the supreme court, the attorney-general, the adjutant-general, the comptroller-general, the railroad commission, the school commissioner, etc., for some future report to the association. The Congressional Library at Washington possesses several MS. volumes of material upon the Georgia archives, acquired among the Peter Force papers. This fact has come to light since the present report has been in press. It is hoped to make use of this material for a future amplified report to the American Historical Association. The volumes were written, it seems, at the order of Peter Force about 1840. They comprise (1) an annotated list of the documents found in the Georgia Department of State in 1840, (2) a similar list of documents from the British State Paper Office and the British Museum relating to Georgia, (3) a similar list of documents from the British Board of Trade, (4) copies in full of the proclamations of the Governors of Georgia from 1754 to 1778, and (5) copies of the acts of the Georgia Assembly, 1755 to 1789.

^a Acts passed by the General Assembly of the Colony of Georgia, 1755-74. Wormsloe, 1881. Edition limited to 49 copies. Journal of the Transactions of the Trustees for establishing the Colony of Georgia in America. By John Perceval, 1st Earl of Egmont. Wormsloe, 1886. Edition of 49 copies. Most of these copies are now distributed among the most important libraries of America, though there are several duplicate copies of each in the State Library in Atlanta.

A critical bibliography for the history of Georgia in the colonial period, prepared by Col. C. C. Jones, is published in Justice Winsor's *Narrative and Critical History of America*, volume 5, pages 392 to 406. A short critical bibliography of printed Georgia documents, histories, etc., for the period between the Revolution and the Civil War may be found on pages 211 to 220 of Phillips' *Georgia and State Rights*, published in the report of the American Historical Association for 1901, volume 1. The following books have appeared since that bibliography was printed:

Thomas Gamble, jr. (compiler). *A History of the City Government of Savannah, Ga., from 1790 to 1901.*

A very valuable condensation from the archives of Savannah. Often throws light on economic and social conditions in other parts of Georgia.

Kate Haynes Fort (editor). *The Fort and Fannin Families. Chattanooga, Tenn., 1903.*

Gives a faithful and interesting picture of family life in Middle Georgia from the beginning to the end of the nineteenth century.

The present report is devoted to a portion of the manuscript archives of the State.

1. RECORDS IN THE DEPARTMENT OF STATE, ATLANTA.

A. RECORDS FROM GREAT BRITAIN.

“Transactions of the Trustees of Georgia. Vol. 2d.”

“Transactions of the Trustees of Georgia from 9th June, 1741 to the 9 June 1742.” (Continued to May 24, 1744.)

These two vellum-bound volumes, reputed to be in the handwriting of the Earl of Egmont, contain the original MS. records of the meetings of the trustees of Georgia, held in London, weekly or oftener, between June 14, 1738, and May 24, 1744. These records have been printed in a limited edition of 49 copies (Wormsloe, 1886). They will probably soon be reprinted by the State of Georgia. The record of transactions of the trustees have been lost except for the period covered by these two volumes.

“The General Account of all Monies and Effects received and expended by the Trustees for establishing the Colony of Georgia in America. For the carrying on the good purposes of their trust for one whole year from the ninth day of June in the year of our Lord 1732 (the date of his Majesty’s royal charter incorporating the said trustees) to the ninth day of June in the year of our Lord 1733. Exhibited by the said corporation, pursuant to the directions of their charter, to the Right Honorable Peter Lord King Baron of Ockham Lord High Chancellor of Great Britain and Sr. Robert Eyre Knight, Lord Chief Justice of his Majesty’s Court of Common Pleas.” (Continued to June 9, 1752.)

This manuscript, beautifully engrossed and bound in vellum, contains a complete record of the finances of the Georgia trustees throughout the lifetime of the board, June 9, 1732, to June 9, 1752. The record for 1732-33 is contained in the first 18 pages. On page 19 the title page is repeated for the year 1733-34, again on page 57 for the year 1734-35, etc., etc. The record for the twenty years fills 302 pages. These yearly financial statements of the trustees were printed in fugitive pamphlets, 1733, 1734, 1739, etc. The early publication of the whole record is promised by the compiler of records of the State of Georgia.

- “Colonial Documents from the Board of Trade. 1747. vol. 3.”
- “Colonial Documents from the Board of Trade. 1757 to 1759. vol. 8.”
- “Colonial Documents from the King’s Library, British museum, London.”

These three documents are the remnant of the great set of transcripts, in 22 volumes, made by Mr. Howard, in London, at the direction and expense of the government of Georgia. All of the other volumes it appears were destroyed by fire about 1890. Copies of other British records relating to Georgia are now being made for publication by the State.

The volumes of documents from the King’s library, above cited, contains an anonymous description of the province, circ., 1771, as well as several reports and letters of Sir James Wright, and records of fees in the colony.

B. RECORDS OF THE GOVERNMENT IN GEORGIA.

The colonial government and the government in the early period of statehood performed many of the functions which in the nineteenth century have been performed by the county officers. The volumes of record are numbered in some obscure system with letters of the alphabet, as indicated below. The classification has sometimes been ignored by the recording officers.

The volumes of record are as follows:

- A. Record of wills, 1754 to 1770.
- B. Record of wills, 1771 to 1779.

These volumes contain the official copies of wills registered in the colonial period. The original documents have disappeared. Volume B has been mutilated by the cutting out of pages, possibly blank, at the back.

- F. Inventory of appraisement, 1755 to 1770.

Contains, on pages 505 to 529, a “Catalogue of the books in the library of the Georgia Orphan House Bethesda Academy. January 1, 1771.” The library is appraised at £265 10s 2d.

- FF. Inventory of appraisement, 1776 and 1777.
- D. Inventory of appraisement, 1777 and 1778.
- D. Letters testamentary and warrants of appraisement, 1755 to 1775.
- Z. Administration, 1771 to 1775.
- G. Administration, 1777 and 1778.

- E. Mortgages, 1755 to 1763.
 G. Mortgages, 1762 to 1765.
 Q. Mortgages, 1765 to 1770.
 EE. Mortgages, 1776 to 1805.
 I. Bonds, bills of sale, deeds of gift, and powers of attorney,
 1755 to 1762.
 O. Bills of sale and deeds of gift, 1761 to 1765.
 R. Bonds, bills of sale, deeds of gift, and powers of attorney,
 1765 to 1772.
 Y. Bills of sale and deeds of gift, 1772 to 1775.

This volume contains, on page 5, a copy of a certificate signed by James Habersham, president of the province, to the effect that by affidavit Stephen Deaux, commander of the snow *Brittannia*, declares Finda Lawrence to be a free black woman, formerly a considerable trader on the river Gambia in Africa, and now come with the purpose of remaining some time in the Province of Georgia. At the request of Deaux, Hebersham issues this certificate securing to the woman the privileges of a free person.

Beginning on page 511 of the same volume is an inventory of the slaves, rice, and stock on the plantations of Sir James Wright, January 8, 1771. Of the eleven plantations, three are stated to be near Savannah and eight on the Ogeechee and Canoochee rivers. The number of slaves on the several plantations is given as follows:

	Men.	Women.	Boys.	Girls.	Total.
1.....	19	20	7	6	52
2.....	20	28	8	7	63
3.....	13	13	4	3	33
4.....	30	24	12	6	72
5.....	16	16	5	1	38
6.....	18	17	7	2	44
7.....	19	18	9	1	47
8.....	29	15	4	1	49
9.....	22	16	5	0	43
10.....	22	14	5	6	47
11.....	22	15	6	1	44
Total					523

This table adds further light to the statement in Carroll's Historical Collections of South Carolina, II, 202, referring to the size of South Carolina rice plantations: "They reckon thirty slaves a proper number for a rice plantation to be tended with one overseer."

[Deeds, bonds, bills of sale, mortgages, leases, wills, and powers of attorney, recorded in the secretary's office of the State of Georgia, August 25, 1780, to December 13, 1781.]

This volume is now among the executive department of archives, but of course it should be in the state department. Pages 1 to 21 and

498 and following are missing. On page 236 is this characteristic document:

"This is to satisfy to whom it may concern That this Black Man Mr. Moses Handlen is Free Man leaft by his Master Mr. Champernown Handlen, deceased in the year of our Lord 1760. This very black Moses Handlen is a very onnis Black man I knowed him from a Boy. Witness my hand.

"GEORGE SMITH &c.

"Witnessed of we three Persons on the 24th January 1761 in South Carolina.

"HENRY FUTHY,

"WILLIAM DAVIDSON,

"GEORGE DAYS JUNER.

"Examined the foregoing and found the same to be an Exact Copy of the Original.

"SECY'S OFF. 13 June 1781.

"GEO. D'ERBAGE, *Dep. Sec.*"

Beginning on page 286 is a schedule of the lands, houses, and slaves of John Graham, lieutenant-governor, 1781, which illustrates the style of living of the few wealthy men in early Georgia. A list is given of tracts of land ranging mostly between 300 and 2,000 acres each, and aggregating 26,578½ acres. On the "Monteith Plantation" of 6,000 acres, it is stated, that there were 77 slaves, of which 36 were men. Among these are listed 1 driver (i. e. foreman), 2 carters, 2 boatmen, 4 sawyers, 2 carpenters, and 1 cooper. Among the 27 women I was a washerwoman and 1 a cook to the overseer. On the "Mulberry Grove Plantation," of 1,274 acres, there were 80 negroes, of which 43 were men, 22 women, 8 boys, and 7 girls. On the "New Settlement," 71 slaves were employed. Finally a list is given of 30 "negroes usually employed and kept about the house." Of these Nero is listed as a coachman; Will Cruz, a cook; Donald, a steward; Strap, a hair dresser; Bob, a groom; George, a tailor; Scrub and Harry, waiting boys; Alyema, a cook; Chuffee and Phoebe, children's women; Maria, Leah, and Jeanne, washerwomen; Penny, a cook; Phyllis, a midwife; Rose and Hannah, house wenches.

- C₃. Bills of sale and deeds of gift, 1783 to 1792.
- D₃. Bonds, bills of sale and deeds of gift, 1792 to 1804.
- DD. Conveyances, 1775 to 1798.
- HH. Conveyances, 1777 to 1805.
- Conveyances, 1779 to 1880.
- U. Entry of claims, circ. 1753 to circ. 1757.
- L. Schedule of land grants, 1755 to 1769.
- Y₃. Marks and brands, 1755 to 1793.
- A. Auditor's office, 1756 to 1772.
- B. Auditor's office, 1772 to 1775.
- H. Proclamations, 1754 to 1882.
- HH. Proclamations, 1782 to 1805.

Legislative journals.

Journal of the house of representatives, 1781, 1782-83, 1783-84, 1784, 1785-86, 1787-88, 1789-90, 1795, 1796-97, 1800, 1803-4, 1806, 1807-8, 1808-9, 1812, 1814-15, 1818, 1819, 1822-23, 1823, 1824-25, 1825, 1827, 1828 (2 vols.), 1833-34, 1838, 1853, 1853-54, 1858, 1860, etc.

From 1804, or earlier, the house journals were printed after each session. The State library in Atlanta contains the printed journals of the house for the sessions in the years 1805 to 1818, 1820, 1822 to 1824, 1826, 1829 to 1832, 1834, 1839, 1843, and 1859 to the present. The volumes missing in this set can be found in several of the leading libraries in America. The journals from 1805 to 1820 are in quarto volumes. Those from 1820 to the present are octavo. From 1849 to 1856 the legislative sessions were biennial, and the journals in that period cover two years each.^a

Journals of the senate, 1790-91, 1791-92, 1803, 1804-5, 1810, 1813, 1820-21, 1823, 1830, 1855-56, 1857 (2 vols.), 1858, 1859, 1860, etc.

Beginning in 1804, or earlier, the senate journals were printed after each session. The volumes are quarto to 1820, and octavo thereafter. The Georgia State library contains the printed journals for 1804, 1805, 1808 to 1816, 1818, 1820 to 1823, 1826, 1827, 1829 to the present, with perhaps a few volumes missing in the series after 1835.^a

(For the dates of the sessions between 1781 and 1800, see the report by Charles McCarthy in the Report of the American Historical Association for 1897, pp. 451-452).

Acts of the general assembly.

Acts of the general assembly of Georgia, 1764 to 1778, 1778 to 1786, 1786 to 1789, 1789 to 1796, 1796 to 1798, 1799 to 1804, 1804 to 1806, 1807 to 1808, 1809 to 1810, 1811 to 1813, 1814 to 1818, 1819.

These are not the original papers, but are transcriptions in substantial volumes of record for the years as indicated.

Acts of the general assembly, 1810 to 1819.

This is a MS. compilation of the acts passed between 1810 and 1819.

^a An apparently complete set of the Georgia House and Senate Journals and the Session Laws of the Georgia Legislature has been collected by Mr. Salem Dutcher and is now owned by Richmond County and preserved in the office of its ordinary, in the city of Augusta. If complete, that collection is probably the only complete one in existence.

Georgia Laws, 1800-1801, 1802, 1803, 1804, etc., to 1847 (1 volume for each year), 1849-50 (5 vols.), 1851-52 (4 vols.), 1853-54 (4 vols.), 1855-56 (6 vols.), 1857 (3 vols.), 1858 (2 vols.), 1859 (4 vols.), 1861 (2 vols.), 1862, 1863 (2 vols.), 1855-56 (3 vols.), 1866 (3 vols.), 1868 (2 vols.), 1869 (2 vols.), 1870 (5 vols.), 1871 (3 vols.), 1872 (8 vols.), 1873 (4 vols.), 1874 (8 vols.), 1875 (4 vols.), 1876 (5 vols.), 1877 (6 vols.), 1879 (6 vols.), 1880-81 (6 vols.), 1883 (7 vols.), 1884 (4 vols.), 1885 (8 vols.), 1886 (4 vols.), 1887 (8 vols.), 1888 (3 vols.), 1889 (13 vols.), 1890-91 (14 vols.).

These are bound volumes of the original engrossed acts, with the signatures of the speaker, the president of the senate, and the governor, in autograph. After 1847 the engrossing was done in a much larger hand and upon heavier paper. Hence the increase in the number of volumes for the subsequent years.

The acts of the general assembly were printed from about 1800 (in octavo) after the end of each session. The Georgia State library contains the volumes of these session laws for the years 1800 to 1810, 1819 to 1826, 1829, 1831, 1832, 1834 to 1839; 1841, 1842, 1843, 1845, 1847, 1849-50, 1851-52, 1853-54, 1855-56, 1857 to 1863, and scattering volumes from 1865 to the present.

For compilations, digests, and codes of the laws of Georgia, see the bibliography appended to U. B. Phillips, *Georgia and State Rights*, in the Report of the American Historical Association for 1901, pp. 215-216.

Commissions and charters.

Register of commissions of justices of the peace, 1799 to 1867.

In 19 volumes.

Register of commissions of justices of the inferior court, 1799 to 1865. In 7 volumes.

Register of commissions of county officers, 1799 to 1864. In 8 volumes.

Register of military commissions, 1800 to 1838. In 8 volumes.

Commissions of county officers, notaries public, and justices of the peace, 1865 to the present. In scattering volumes.

Register of commissions of members of Congress, solicitors-general, etc., in recent years.

Register of charters to railways, navigation companies, insurance, telegraph, express, and trust companies, etc., in recent years.

Land records.

The land records comprise (a) the original documents preserved in a thousand or more pigeon-hole boxes; (b) books of record, of which there are several hundred volumes grouped under the names of the counties into which the territory of the State was originally laid out; and (c) large MS. county maps, of which one set is kept in the Department of State, and another set, of earlier dates, is to be found in the basement of the Capitol. The documents are mainly of two general classes: (1) certificates of the grant of head rights and land lots, and (2) reports and plats made by the surveyors.

Among the landmarks used in denoting the general neighborhood of particular head-right surveys in the district south of the Altamaha during the colonial period there is occasional mention of "cow pens," or ranches—to use the modern word. This indicates that in early southeastern Georgia, as in early upland South Carolina, cattle raising was an important industry. The caravans of the Indian traders occasionally threaded the paths through the great pine forests of this region; but there was little or no game to be found in the pine woods, and there were no professional hunters among its population.

Miscellaneous original documents.

There is a considerable number of original reports, letters, etc., tied in labeled packages and stacked upon four shelves in the main archives room of the State Department. They are among the most valuable of all the archives. They are roughly classified as follows:

Indian affairs, 1793 to 1835.

Foreign affairs, 1785 to 1807.

Correspondence of the governor of Georgia concerning relations with the French and Spanish at Natchez and St. Augustine concerning desperadoes on the Florida boundary, etc.

Documents relating to the Florida boundary.

Documents relating to the South Carolina boundary.

Navigation of the Savannah River.

Internal improvements, 1825.

Towns in Georgia, 1801 to 1821.

Towns in Georgia, 1823 to 1832. Sale of lots in Macon.

2. RECORDS IN THE EXECUTIVE DEPARTMENT, ATLANTA.

[Journal of the proceedings of the executive department, January 14, 1778, to January 4, 1783; January 8, 1789, to May 4, 1789; November 12, 1789, to May 8, 1790; May 9, 1790, to December 16, 1790; December 17, 1790, to November 9, 1791; November 10, 1791, to November 5, 1792.]

These volumes are now among the archives of the department of state. They belong, of course, to the executive department.

Minutes of the Executive Department November, 1793, to January, 1806, in 9 volumes; September, 1806, to September, 1810, in 3 volumes; January, 1811, to November, 1817, in 4 volumes; November, 1819, to February, 1821; September, 1822, to the present, except from September 21, 1883, to January 1, 1886—in 25 volumes.

These records have to do with the routine work of the State administration. Jottings are made in them of letters, reports, and petitions received, of proclamations, messages, warrants, pardons, rendition papers, and letters issued, etc. The great mass of this material is dry-as-dust, but there are interesting items in the periods of the war of 1812, the administration of Governor Troup, and the Cherokee controversy. The governors' messages, here given usually in full, are valuable.

Minutes of the governor's council, May 17, 1762, to February 1, 1763; April 4 to December 6, 1764; February 7, 1869, to July 4, 1869; March 19, 1765, to December 12, 1766; July 2, 1771, to March 3, 1772; October 25, 1771, to February 22, 1772; April 21, 1772, to July 8, 1783; March 1 to August 18, 1773; January 19 to May 25, 1780; September 22 to October 8, 1784; October 26, 1784, to January 6, 1785; January 16 to February 11, 1786; December 16, 1788, to January 7, 1789; August 5 to August 12, 1789; August 4 to November 11, 1789; December 22, 1789, to January 14, 1790; January 15 to July 12, 1790; September 27 to October 18, 1790; February 7 to March 30, 1791; September 26 to November 5, 1791; October 23, 1790, to November 1, 1793, scattering; December 20, 1792, to January 9, 1793; November 29, 1793, to January 14, 1796; January 7 to March 23, 1795; December 10, 1795, to January 14, 1796; September 15, 1796, to January 14, 1797; January 8 to May 16, 1799; May 18 to August 7, 1799; October 23 to December 31, 1799, and other fragments.

These were called the "Rough Minutes." They are written in thin unbound volumes and were looked upon as merely temporary records. Each volume is indorsed "Recorded" on the title page; but the transcriptions have now disappeared. These "Rough Minutes" were discovered a few years ago in the cellar of the capitol by Mr. T. Cuyler Smith, of Atlanta, who has delved quite extensively as an antiquarian into the Georgia archives. The "Rough Minutes" contain appointments of justices of the peace, captains and "Gentlemen ensigns" of the militia, of tax collectors and receivers, etc., record of passports granted for travel into the Creek Nation, grants of land by head right, approvals of acts of the legislature, etc.

The "Rough Minutes," date of March 3, 1772, contain a list of the persons lately arrived in the province in the ship *Britannia* from Ireland. The immigrants number 220, in 65 families, of which 20 consist of 1 person only. The number of children in a family ranges from 1 to "Isabella Irwin & Eight Daughters." Ten servants are included in the table, of which 5 belonged to James Black, who heads the list of immigrants.

Letter book of Governor Mathews, May 27 to October 14, 1794.

About 80 pages, unbound; contains letters relating to the projected expedition of Elijah Clarke and others against the Spanish power in the southwest, and relating to Clarke's unauthorized settlement upon Indian lands west of the Oconee River.

Rough letter book of the executive department, January 11 to May, 1799.

Letter book of the executive department, May 18, 1814, to October 30, 1829; October 22, 1825, to January 14, 1839; July 1, 1831, to February 5, 1833; February 5, 1833, to June 18, 1835; June 20, 1835, to December 28, 1840; January 1, 1841, to June 1, 1843; June 1, 1843, to January 1, 1847; January 1, 1847, to April 19, 1861; April 22, 1861, to May 9, 1865.

These volumes contain transcribed copies of the official letters written by the governors of Georgia. From 1865 to the present the letter books are scattering. Since 1865 they have been made by the copying press upon tissue paper. These are often blurred, and in general hard to use.

The letter books from 1821 to 1847 contain a good deal of valuable material upon internal improvements in Georgia, particularly after 1837 in regard to the Western and Atlantic Railroad.

The letter books 1833-1835 and 1847-1861 are in an overflow document room on the third floor of the capitol, in a mass of miscellaneous papers.

Record of governor's warrants and audited certificates, 1785 to 1802.

Record of executive warrants, 1844 to 1853.

Ledger of the State treasurer, 1793 to 1798.

Contains salary accounts mainly. No details are given.

State treasurer's ledger, 1842-43.

State treasurer's book, 1865-1867.

Book of receipts (vouchers), 1798 to 1804, 1806 to 1808, 1817 to 1828, 1832 to 1839, 1844-45, 1850-51.

Treasurer's office warrant book, 1847 to 1859.

Record of bonds of county officers, 1824 to 1848, and 1850 to 1853.

Book of oaths of office of various State officials, 1834 to 1870.

Record of head rights, alphabetical, 1854 to 1899.

Record of the drawing in the Gold Lottery, commenced January 11, 1833.

The discovery of gold in the Cherokee lands of northeastern Georgia in 1829 increased the popular demand, already strong, for the acquisition of the district by the State, and for its distribution among the people by the land lottery system which had been maintained in Georgia since 1803. Accordingly the land was surveyed into lots of 40 acres each, instead of 160 or 202½ acres, as was the usual custom, and was distributed by lottery. A record of these drawings has been printed: *The Cherokee Land Lottery * * ** a list of fortunate drawers * * * with a map of the district. By James F. Smith, N. Y., 1838.

Public-debt book: Record of the issue and canceling of State bonds, 1840 to 1877.

These bonds were those issued for the building of the Western and Atlantic Railroad, etc.

Military and executive orders, 1835 to 1840.

Record of petitions for pardon and action thereon, 1854-55.

Lists of the justices of the peace, 1799 to the present.

Lists of the justices of the inferior court, 1813 to 1865.

Lists of military officers, 1810 to 1841, 1862 to 1865.

Lists of notaries public, 1872 to the present.

Military commissions, 1815 to 1818, 1820 to 1822, 1824-25, 1827 to 1834, 1836 to 1838, 1840 to 1858.

Record of sales of confiscated estates in Georgia, 1782-83.

Contains ledger accounts against individual purchasers. In the back of the volume there are records of the sales on given dates in given

counties. The sales are of lands almost exclusively. The prices obtained were very high, probably due to the depreciated currency. There is appended a "List of negroes paid to the Georgia State Legion * * * by the Commissioners of Confiscated Estates." Items in this list are: "Delivered to Capt. Jas. Stallings, 20 negroes," belonging to various confiscated estates, at an appraised value of £1,218. "Delivered to Lieut. Col. Jas. Jackson, 12 negroes," appraised at £565.

Statement by the comptroller-general, Eleazer Early, October 28, 1808, of the claims of citizens of Georgia for property plundered by the Creek Indians, 1777 to 1802.

These claims aggregated 136 negroes, 1,728 horses, 3,553 cattle, and other property of the total value of \$280,127.28. The valuations put upon lost slaves range about \$300 to \$500.

Book of receipts of claims against the Creek Nation as allowed by the President of the United States under the treaty of Indian Spring, 1821. Money distributed by the governor of Georgia, 1823 to 1826.

This volume is in the overflow document room on the third floor of the capitol.

Commissary-general's office: Purchases and issues of subsistence to troops of the Georgia State line, December 31, 1863, to May, 1865.

Commissary purchases and issues to Georgia State troops, 1861 to 1863.

Returns of subsistence, forage, cooking utensils, etc., received and in charge of Col. Ira R. Foster, quartermaster-general of Georgia, January 26 to December 13, 1861.

Returns of the subsistence stores at the various posts and camps in the service of Georgia, September, 1861, to May, 1865.

Returns of subsistence, forage, etc., issued by the quartermaster-general of Georgia, May 27 to December 10, 1861.

Returns of arms, accouterments, clothing, caps, and garrison equipage issued by the quartermaster-general, May 27 to December 9, 1861.

Commissary-general's office: Accounts current, subsistence, December 5, 1861, to June, 1865.

Georgia commissary-general's cash account, November 14, 1861, to July 1, 1865.

Commissary-general's salt cash account, August 20, 1862, to July 1, 1865.

Salt book, vol. 1: Record of names.

Salt book, vol. 2: (a) List of widows of deceased soldiers, by counties. (b) Names of heads of families supplied with salt under the orders of Governor Brown, by counties, December 16, 1862, to September 26, 1864.

Salt book, vol. 3: List of heads of families supplied with salt—Continued.

The great dearth of salt in the South during the civil war caused its price to advance to exorbitant figures. These records show the work of the State government in protecting the destitute families of soldiers from the hardships of the salt famine.

MISCELLANEOUS ORIGINAL DOCUMENTS.

Around the walls of the main document room of the executive department are tall cases of dust-proof pigeonholes containing original papers in large numbers, dating chiefly in the period since the close of reconstruction. These documents are fairly well arranged and distinctly labeled. They deal with the school fund, military fund, public buildings, lunatic asylum, insurance statements, justices of the peace, notaries public, applications, requisitions, pardons granted and refused, etc.

The original documents for the antebellum period, and for the civil war and reconstruction, are to be found chiefly in a small room on the third floor of the capitol used by the executive department as an overflow document room. These documents are in packages, some labeled and some not. From careless handling many of the documents have become displaced from the packages in which they belong. The packages are stacked along the walls in open shelves or bins, with just the faintest hint of classification. For practical research, the documents might almost as well be in a promiscuous heap upon the floor. The room has no attendant, and apparently is not visited as often as once a year. There are 160 of these bins full of papers, each bin about 3 feet long and a foot high. For the purpose of historical investigation many of these documents are among the most important in the capitol. Any present attempt at classification can be only of the roughest

kind. As suggestion, rather than classification, the following list is given:

Petitions, 1820 to 1870, 5 bins, say 100 packages.

Accounts, proclamations, pardons, poor school fund, vouchers, official bonds.

Banks and banking, 1816 to 1836. 3 packages.

Treasurer's certificates, 1809 to 1850.

Georgia State census returns, 1824 and 1831. 1 package.

The constitution of Georgia, 1798, required the taking of a State census every seventh year. These returns in 1824 and 1831 are fragmentary. While the returns for but few of the counties are to be found in any degree of completeness, the statistics of these few counties are of decided value, in that they give a view of slaveholdings and contribute to our knowledge of the economic and social conditions of the time. The United States censuses as published give no tables in counties before 1860, though in the compendium of the census of 1850 a table by States is to be found.^a

The State census returns of 1827 for Taliaferro County contain the names of all heads of families, with the number of men, women, boys, and girls in the family, the number of slaves owned by the family and residing in the same militia district with their masters, and the number of free persons of color for whom the head of each family was acting as guardian. The following summary has been made from the MS. returns:

Total population of Taliaferro County, 4,464, of which 2,038 were whites, 2,394 slaves, and 32 free persons of color. The white population is grouped in 376 families, of which 269 held slaves and 107 were non-slaveholding. The average number of white persons in the slaveholding families was 5.7, in non-slaveholding families 5.3. Of the total white population, 72.5 per cent were directly concerned with slaveholding in the family and were accustomed to the personal service of slaves. In 118 slaveholding families there were more whites than blacks on the estate, in 18 there were an equal number, and in 131 there were more negroes than whites. With no town worth mentioning, the county was distinctly a rural one. The estates whereon there were more slaves than whites might roughly be classed as plantations, while all the others would be called farms. The census taker has given the title "Esquire" to every planter owning a notable number of slaves, say above 30. We may take this as one of the numerous straws which show the mingling of the economic and social currents in the channel of the plantation system. The planter on a large scale was in nearly every case a social dignitary. Wealth and social standing were closely related in the antebellum community.

^aIn the U. S. Census Office at Washington, the MS. returns from Georgia have been preserved for all of the federal censuses except those of 1790, 1800, and 1810. From these there might be compiled tables of slaveholdings for 1820, 1830, 1840, 1850, and 1860.

The slaveholdings were as follows:

	Slaves each.		Slaves each.
34 families.....	1	2 families.....	19
30 families.....	2	1 family.....	20
25 families.....	3	3 families.....	21
32 families.....	4	1 family.....	22
14 families.....	5	2 families.....	23
17 families.....	6	1 family.....	24
15 families.....	7	1 family.....	25
11 families.....	8	1 family.....	27
10 families.....	9	4 families.....	28
5 families.....	10	2 families.....	29
8 families.....	11	2 families.....	31
5 families.....	12	1 family.....	34
5 families.....	13	2 families.....	36
7 families.....	14	1 family.....	45
3 families.....	15	1 family.....	47
8 families.....	16	1 family.....	49
10 families.....	17	1 family.....	54
2 families.....	18	1 family.....	56

Total slaveholdings, 269. Total number of slaves, 2,394. The average size of slaveholdings was 9; 188 families owned 9 slaves each or fewer, while 81 owned 10 or more slaves each.

Taliaferro is a typical county in the longest settled part of the upland Georgia cotton belt. At the time of this census it had reached approximately its full agricultural development for the ante-bellum period. Thenceforward it received little immigration, while many of the people, white and black, moved away to find fresh lands in the West.

A comparison of conditions in the county as shown in this census of 1827 and those shown in the United States census of 1860 is interesting. The white population had decreased in 1860 from 2,038 to 1,693. The free negroes had increased from 32 to 41. The slaves had increased from 2,394 to 2,849.

The slaveholdings in 1860 were as follows (United States census of 1860, volume on agriculture, p. 227):

	Slaves each.		Slaves each.
45 slaveholders.....	1	12 slaveholders.....	9
30 slaveholders.....	2	33 slaveholders.....	10 to 14
20 slaveholders.....	3	22 slaveholders.....	15 to 19
16 slaveholders.....	4	15 slaveholders.....	20 to 29
18 slaveholders.....	5	10 slaveholders.....	20 to 39
17 slaveholders.....	6	6 slaveholders.....	40 to 49
12 slaveholders.....	7	5 slaveholders.....	50 to 69
8 slaveholders.....	8	2 slaveholders.....	70 to 99

One hundred and seventy-eight slaveholders owned less than 10 slaves each in 1860 as compared with 198 of the same class in 1831.

On the other hand 93 owned 10 or more in 1860 as compared with 81 of the same class in 1831. That is to say, the small holdings of slaves were gradually decreasing in number and also in size, while the large holdings were gradually increasing in number and in size as well.

From such other statistics as are accessible the indications point to this tendency as a general law of the plantation system—that, within the limit at which plantations grew too large to be manageable, the tendency in the staple-producing region was for the size of plantations under good management to increase until the maximum of efficiency was reached, while the size of those under weak management tended to decrease until they lost their complex organization and became simple farms.

In the *Virginia Magazine of History and Biography*, volume 10, pages 229 to 238, there is printed a list of slaveholdings in Westmoreland County, Va., for the year 1782. In this list 289 slaveholders are given who owned less than 10 slaves, and 56 who owned 10 or more. The table in the United States census of 1860, volume on agriculture, page 245, gives for Westmoreland County 256 slaveholders with less than 10 slaves each and 126 with 10 or more. This shows a decrease from 289 to 256 in the small holdings and an increase from 56 to 126 in the larger holdings. The working of the general tendency is more strongly shown in this case of the Virginia tide-water county than in the upland Georgia county; but it must be observed that the extent of time covered is more than twice as great as in the case of Taliaferro County. An exception to this general rule of plantation aggrandizement is to be noted in the case of Spottsylvania County, Va. A comparison of the statistics of slaveholdings there in 1783 (*Virginia Magazine*, vol. 4, pp. 104 to 106 and 292 to 299) with those in 1860 shows a decrease in the plantation forces; but the conditions there were exceptional. Tobacco was replaced by corn and wheat, and the plantation system entered a period of decay. (Cf. writings of George Washington, Ford's edition, vol. 14, p. 196.)

A curious item in the Taliaferro County census reads: "Noah Kelsey's Quarter, 17 slaves." Noah Kelsey does not appear as a resident of the county, and the indication is that there was no white overseer on the plantation.

The free negroes were scattered throughout the county, each under the care of a guardian. One group of seven had the same guardian, but most of the guardians had single wards. Most of the guardians of free negroes were slaveholders.

Another noteworthy census among these MS. documents is that of Crawford County in 1824. Crawford County was in the western part of the Georgia cotton belt. Its lands had been acquired from the Creeks in 1821, and soon afterwards distributed by lottery and thrown open to settlement. The census of 1824 shows the method of settling the frontier in the cotton belt.

The white population is given at 1,781, grouped in 330 families, of which 114 had slaves aggregating 579. Two hundred and sixteen fam-

ilies, or 65 per cent, owned no slaves. There were no free persons of color. The slaveholdings were as follows:

	Slaves each.		Slaves each.
27 families.....	1	6 families.....	10
18 families.....	2	2 families.....	11
17 families.....	3	1 family.....	12
9 families.....	4	2 families.....	13
7 families.....	5	2 families.....	15
9 families.....	6	1 family.....	20
4 families.....	7	1 family.....	28
1 family.....	8	1 family.....	31
5 families.....	9	1 family.....	42

The average of slaveholdings was 5; but this average would have been much smaller except for the presence of a very few planters among the farming population. Sixty-five per cent of all the white families had no slaves; 50 per cent of the remainder had less than 4 slaves each. Only 11 families of the 330 in the county in 1824 had as many as 11 slaves each. By 1860 the number of slaveholders, or more properly of slave-holding families, had increased to 369, the number of slaves to 4,270. Of the slaveholdings in 1860, 249 were 9 or less, while 110 were of 10 or more, and 4 of these ranged between 100 and 200 each.

Crawford County, then, in 1824, three years after its opening to settlement, was peopled almost entirely by small farmers, but the stream of planters was already entering. As years went on, the planters increased their holdings of slaves and lands; other planters came in from the East, and some of the farmers by thrift grew to be planters. The plantations thus increasing encroached steadily upon the land first held in small farms. The small farmers were handicapped in the competition for the cotton market. The outcome was that many of the nonslaveholders emigrated to the West for still fresher fields, or to the northward or the southward of the cotton belt, where they might live more cheaply as self-sufficient producers, having little to do with staples, money, or markets. A few of the planters also emigrated, perhaps, to the Mississippi bottoms, but their removal was always hindered by the difficulty of selling their extensive lands and of transplanting their complex establishments. The pioneer work throughout the South seems to have been done by the yeoman class and the younger sons of the well to do, while the wave of planters followed later and was confined to the staple-producing areas and to the districts lying in reach of markets.

Reports of the Western and Atlantic Railway, 1840 to 1850.

About 20 packages.

Smallpox and quarantine, 1800 to 1826. 1 package.

Papers in the case of the Africans illegally imported into Georgia, 1820. 1 package.

- Penitentiary papers, 1802 to 1870. 5 bins.
 Letters to the governor, 1840 to 1861. About 20 packages.
 Letters to the governor, 1861 to 1871. 4 bins.
 Military affairs, 1860 to 1865. 20 bins.
 Quartermaster's department, 1860 to 1865. 4 bins.
 Whisky and distilleries, 1863 to 1865. 1 package.
 Election returns, prior to 1861. Scattering packages.
 Election returns, 1860 to 1865. 9 bins.
 Election returns, 1868. 3 bins.

The returns for the Presidential election of 1868 are quite voluminous.

- Reports of destitution in Georgia, 1867. 1 package.
 Reports of outrages, 1868. 1 package.
 Election returns, 1872 to 1885. 5 bins.

A very large number of the original records of the State are missing. Some of these are extant in other collections or in private possession. The following document, which is printed with the consent of its owner, Mr. T. Cuyler Smith, of Atlanta, who bought it of a second-hand dealer, will illustrate the importance of many of these stray papers:

"SAVANNAH 29th October 1797.

DEAR SIR I received your favor of the 19th Instant, respecting an error or mistake in the returns of Negroes imported in Chatham last year—a General list with the date of the returns I herewith annex, and account for the error this way—

Richard Whitehead did import on the 19th of August Fifteen Negroes from the State of Maryland which Negroes was sold here [him?] by Mr. Alger and the said Whitehead neglecting to make return thereof I thought it my duty to enter the same in my digest agreeably to the time of importation—and on the 4th of Novr. following Mr. Whitehead coming forward and made return of said Negroes and paid the Tax thereon I find on examination the same was charged Twice. I therefore beg the Treasurers pardon for this Error owing to a multiplicity of Business of a similar nature at that time of the year. I am Dear Sir with Compliments to the Major & yourself your Obt Servant

W. NORMENT.

JOHN BERRIEN, Esquire,

Treasurer of the State of Georgia, Lewisville."

"List of negroes imported in Chatham County from the 1st of January, 1796, to the 9th day of February, 1797, inclusive."

Date.	Name.	Number.
1796.		
Mar. 23	Robt. Watts	122
Apr. 6	Same	104
May 14	Same	92
May 26	Kenedy & Parker	57
June 1	Robt. Watts	37
June 22	Same	149
June 25	Caige McLeod & Co	235
July 6	Same	248
July 15	Robt. Watts	26
July 18	Same	52
Aug. 5	Same	275
Aug. 25	Ewing McCall	219
Sept. 6	Robt. Watts	116
Oct. 6	Cage McLeod & Co	97
Oct. 12	Robt. Watts	190
Nov. 4	Richard Whitehead	15
Nov. 22	Robt. Watts	50
		2,084
1797.		
Jan. 23	Joseph Miller	18
Feb. 9	Shurtleff & Austen	37
Feb. 9	Charles O'Hara	37
		92
Total		2,176

If some of the State archives have gone astray, certain records which do not belong to the State, on the other hand, have in some way found lodgment among the State documents. Of these the following are among the archives of the executive department:

- Bank of Darien, branch bank in Macon. Discount book No. 2, June 17, 1824, to June 3, 1840.
- Treasurer's book, Western and Atlantic Railroad. Record of warrants, 1866 to 1870.
- Macon and Brunswick Railroad. Stock ledger, 1867 to 1872.
- Macon and Brunswick Railroad. Stock journal, January 28 to November 4, 1872.
- Record of the proceedings of the International Railroad and Steamship Navigation Company, of Florida, March 22, 1883, to October 4, 1884.

LOCAL ARCHIVES.

I. THE RECORDS OF BALDWIN COUNTY, GA.

The area in which Baldwin County lies was relinquished by the Creek Indians in the treaty of Fort Wilkinson in 1802. By an act approved in May, 1803, the Georgia legislature laid out the county of Baldwin to include a part of the ceded district, and provided for the gratuitous distribution of its territory among the citizens of the State by a newly devised land-lottery system. But not until 1807 was a county seat selected and a county government actually established. By 1810 the assignment of free lands had brought in a population of 3,780 whites and 2,566 negroes.

The county records now to be found in the court-house at Milledgeville extend from 1806 and 1807 to the present, but in a very incomplete series. When the old court-house was burned in 1861, the records of the inferior court and the court of ordinary alone escaped destruction. The documents in the office of the county clerk accordingly do not antedate 1861. Among the records which were not affected by the fire frequent breaks in series occur, which can be accounted for only by referring to the inattention of the officers in charge and the lack of any secure vault or case for the volumes and papers.

Records in the ordinary's office.—The ordinary in Georgia is the officer corresponding to the judge of probate in most of the other Southern States. Prior to the establishment of the court of ordinary in Georgia its functions, among others, were performed by the inferior court in each county.

Minutes of the inferior court of Baldwin County, 1808 to 1868. In several volumes.

The inferior court, composed of five justices, sometimes assisted by a jury, had jurisdiction over roads, taverns, liquor licenses, jails, habeas corpus, orphans and guardians, debtors, etc., over petty civil and criminal cases, and over all trials of slaves for crime.

Item, under date of January 9, 1815: "Ordered, That Marlow L. Pryor do cause the door of the Debtors Chamber of the Jail of Baldwin

County to be put in good and sufficient repair * * * " and that he do present his account to this court.

Item, date of July 3, 1815: Ordered, whereas the jail is reported insecure, the prisoners be ironed by the sheriff and the jailor sleep in a room in the jail.

Item, date of May 25, 1830: List of paupers in the county and amounts directed to be paid by the county treasurer for their support for the year. The list contains the names of 5 men, to receive \$60, \$60, \$45, \$25, and \$25, respectively; 3 women, to receive \$48, \$40, and \$25, respectively; 1 blind negro to have \$30, and 1 blind negro woman to have \$22. (The public was usually saved the expense of supporting infirm negroes by legislation restricting the emancipation of aged or crippled slaves and requiring their owners to maintain them. In numerous inventories of estates in Baldwin County blind or disabled slaves are listed at a value of \$0.00.)

Inferior court, record of writs, 1810 to 1827 and 1838 to 1841.

Inferior court, record of judgments and petitions, 1843 to 1857.

Inferior court, execution docket, 1811 to 1834.

Inferior court, motion docket, 1830 to 1860.

Inferior court, claim docket, 1832 to 1858.

Inferior court, subpoena docket, 1832 to 1860.

Inferior court, bar docket, 1831 to 1858.

Inferior court, record of estrays, 1808 to 1854.

Inferior court, appearance docket, 1806 to 1838.

Inferior court, accounts of Baldwin County, 1837 to 1860.

Inferior court, "Criminal docket A," being the "Record of the proceedings of the inferior court of Baldwin County on the trials of slaves charged with capital offences," 1812 to 1832.

By an act of the Georgia legislature in 1811, the inferior court, to be composed of at least three of the justices of the court and a jury of twelve freemen, was given jurisdiction over all cases for the trial of slaves upon charges involving a penalty extending to life or limb. This volume contains record of probably all cases in which slaves were tried for felonies between 1812 and 1832. The following is an abstract of all the cases recorded:

November 12, 1812: The State *v.* Major, a slave, the property of John Neeves, on the charge of rape. Verdict of guilty. Sentence of hanging.

January 11, 1815: The State *v.* Fannie Micklejohn, a slave, the property of the heirs of William Micklejohn. Charged with murdering an infant. Verdict of not guilty.

April 18, 1815: The State *v.* Tom, a slave, the property of Joseph Andrews. Charged with murdering a slave and adjudged guilty.

Sentenced to be branded on each cheek with the letter M, to have 39 lashes laid on his bare back forthwith in the market place and be remanded to jail, to receive 39 lashes on April 19 and be remanded to jail until April 20; then to receive 39 lashes more and be discharged.

November 21, 1816: The State *v.* John, a slave, the property of William McGehee, charged with stealing a \$100 bill. Verdict of guilty. Sentenced to receive 39 lashes on the bare back three days in succession.

July 31, 1818: The State *v.* Aleck, a slave, the property of James Thomas, charged with assault with intent to murder. The prisoner pleaded guilty, and was sentenced to receive 50 lashes well laid on the bare back with a cow-skin whip three days in succession.

February 17, 1819: The State *v.* Rodney, a slave, the property of Maj. John A. Jones, charged with arson. The prisoner was found guilty and sentenced to be hanged.

April 28, 1821: The State *v.* Peter, a slave, the property of Elen Taylor, charged with the murder of a slave. Was found guilty of manslaughter and sentenced to be branded on the right cheek with the letter M, and to receive 39 lashes on three successive days.

October 22, 1821: The State *v.* Edmund, a slave, the property of Ann Carlton, charged with involuntary manslaughter. It appearing that the prisoner had been charged with no crime of which the court had cognizance, it was ordered that he be forthwith discharged.

January 19, 1822: The State *v.* Davis, or Dave, a slave, the property of William Johns, charged with assault with intent to kill a white person. Verdict of guilty. Sentence not recorded.

No date: The State *v.* John, a slave, the property of William Robertson, charged with burglary. Found guilty but recommended to mercy. Sentenced to be branded on the right cheek with the letter T and to be given 39 lashes on three successive days.

On the same day this same slave, John, was sentenced to be hanged for assaulting a white man with intent to kill.

December 5, 1825: The State *v.* George, a slave, the property of John D. Ponder, charged with burglary. The offense charged was the breaking into the house of a white man, John Dumer, of Milledgeville, and stealing goods to the value of \$150. Verdict of guilty with recommendation to mercy. Sentence of hanging.

December 5, 1825: The State *v.* Stephen, a slave, the property of Israel T. Jordan, charged with assault with intent to kill a free white man. Found guilty and sentenced to hanging.

March 15, 1826: The State *v.* Elleck, a slave, the property of Andrew Elliott, charged with assault with intent to commit murder and rape. Verdict, guilty of assault with intent to kill. Sentence, hanging.

July 12, 1828: The State *v.* George, a slave, the property of Mrs. Elizabeth Smith, charged with larceny from the house. Verdict of not guilty.

July 8, 1829: The State *v.* Caroline, a slave, the property of Robert B. Washington, charged with maiming a free white person. Verdict of not guilty.

May 21, 1832: The State *v.* Martin, a slave, the property of Farish Carter, charged with assault with intent to murder. The prisoner pleaded guilty, and was sentenced to 39 lashes on three successive days.

Minutes of the court of ordinary, 1852 to 1883.

Court of ordinary, appearance docket, 1827 to 1840.

Court of ordinary, bench docket, 1869 to 1873.

Court of ordinary, docket, 1888 to 1899.

Letters of guardianship, 1832 to the present.

Letters testamentary, 1836 to 1851 and 1897 to the present.

Letters of administration, 1832 to the present.

Letters of dismissal, 1900 to the present.

Guardians' bonds, 1831 to the present.

Administrators' bonds, 1832 to the present.

Names of deceased persons for whose estates executors or administrators have been appointed, 1807 to 1868.

Record of estates administered, 1832 to 1862.

Contains only the statement of dates on which letters were granted and returns made.

Annual returns of administrators, 1809 to the present.

Record of appraisements, 1807 to 1827.

Inventories and appraisements, 1873 to the present.

Record of sales and inventories of estates, 1808 to 1888.

The county records of appraisements and sales of estates at auction comprise the chief source from which knowledge may be had of the rise and fall of slave prices. A comparative study of data of this sort, collected from the various parts of the South, and of the North in the period when the North was slaveholding, will be essential as a basis for any definitive economic history of slavery in America. The printed material upon slave prices and the economics of slavery is scanty and fugitive, and often unreliable. The records of administrators' sales in Baldwin County are itemized only after the year 1819.

Record of wills, 1806 to 1832 and 1869 to the present.

The general run of the wills, inventories, etc., indicates that the great majority of the citizens of the county owned very little property aside from lands and negroes. A feather bed was in many cases the most important item in the estate. The records show, however, that there were a few citizens whose estates were worth above a hundred thousand dollars each.

Record of marriage licenses and marriages, 1807 to the present.

In 8 volumes.

The first part of the book is devoted to a general history of the United States from its discovery to the present time. It is written in a clear and concise style, and is well adapted for use in schools and colleges.

The second part of the book is devoted to a detailed history of the United States from the discovery to the present time. It is written in a clear and concise style, and is well adapted for use in schools and colleges.

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The twelfth part of the book is devoted to a detailed history of the United States from the discovery to the present time. It is written in a clear and concise style, and is well adapted for use in schools and colleges.

Lists of children in Baldwin County entitled to the benefit of the poor school fund, 1852 to 1858.

Bonds of liquor retailers, 1831 to 1863 and 1867 to 1875.

Record of oaths of liquor sellers, 1839 to 1859.

Every liquor seller was required to take oath that he would not sell to slaves or free persons of color without the oral or written consent of the owner, overseer; employer, or guardian.

Bonds of county officers, 1870 to the present.

Homestead certificates, 1889 to the present.

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Record of lunacy cases, 1889 to the present.

Constables' bonds and oaths, 1893 to the present.

Roster of Confederate soldiers from Baldwin County.

Tax digests for Baldwin County, 1855 to 1880, scattering.

Tax defaulters' list, 1878. Printed.

Census of Baldwin County, 1880.

Cotton book, October 2, 1867, to May 11, 1868.

Gives the names of producers and shippers, the number and weight of the bales, and the amount of the tax at 2½ per cent. This record is to be found in the back of the inferior court bar docket of 1831 to 1855.

County treasurer's book, 1868 to 1870 and 1872 to 1876.

Registration books of voters of Baldwin County, 1888 to the present. Scattering years.

Tax Digests, annually for recent years.

Miscellaneous papers in pigeon holes.

Records in the office of the county clerk.—The bound volumes in the clerk's office contain deeds, mortgages, etc., and the usual dockets of the superior court and the county court from 1861 to the present. There are a large number of original documents tied in packages and arranged in pigeon holes, with the following rough classification:

Grand jury presentments; divorce cases; estates; orders to sell and reinvest; inquests; attorneys admitted to practice; alias fifas, commissions, and awards; memorials; charters; dowers; guardians; claims; illegality cases; homesteads; appeals from county courts; certiorari in civil cases; certiorari in criminal cases; appeals from the ordinary's court; appeals from the justice courts; fifas; satisfied fifas; notaries public; bills of equity; liens and mortgages recorded; cases

disposed of; cases settled; no bills; writs; interrogatories; affidavits and foreclosures; rules absolute; supreme court cases; bills of equity; bonds in criminal cases; bench warrants; state warrants; rules against defaulting witnesses; county court papers settled and nol prossed; evidence and briefs in various criminal and misdemeanor cases.

Records in the office of the county commissioners of roads and revenues:

Account books, minutes, and miscellaneous papers, extending from about 1885 to the present.

Records in the office of the county school commissioner:

Account books and records during the tenure of office by the present incumbent (sixteen years).

Records in the office of the sheriff:

Sheriff's docket during the tenure of the present incumbent (six years).

Records in the offices of the justices of the peace:

The justice in each militia district keeps a docket of the cases in his court, but no uniform system is followed in preserving these records.

2. THE RECORDS OF MILLEDGEVILLE, GA.

The district in which Milledgeville stands was acquired from the Creek Indians by the treaty of Fort Wilkinson in 1802. In the following year the Georgia legislature ordered the survey of town lots at the head of navigation on the Oconee River, and named the projected town Milledgeville. In 1804 another enactment provided that the seat of the State government should be transferred to Milledgeville as soon as a state house could be built. The town was accordingly the capital of Georgia from 1805 until the seat of government was removed to Atlanta in 1868. Milledgeville has been the county seat of Baldwin County since its founding. The town was incorporated by an act of 1810. Its population grew slowly in the antebellum period, and even to-day it numbers less than 5,000 souls.

The records are to be found in the office of the town clerk. They are in no arrangement, and no care is taken of them. Some of them have been damaged by mice, and all of them (as found in August, 1903) are exceedingly dusty and disagreeable to use.

Minutes of the Corporation, 1816 to 1832, 1837 to 1847, 1855 to 1876.

Some of these volumes are entitled "Minutes of the Intendant and Commissioners of Milledgeville." Later the titles of the officers were changed to mayor and aldermen, meeting in city council.

These minutes, setting forth the range of official action in this country town of the upland cotton belt, contain many items which afford an insight into the life of the antebellum South, now so difficult to reconstruct with any degree of faithfulness.

Item, date of July 30, 1822: An ordinance. (1) No slave may live off the lot inhabited by his owner or employer. (2) No slave may hire his own time from his master or contract to labor for any other person. (3) No person of color may keep spiritous liquors for sale, and none may keep any horse, cow, or hog for his own use. (4) No free person of color may live in Milledgeville except with a guarlian living in the town and a certificate of character and a bond for good

behavior. Not exceeding four washerwomen at one time shall be exempt from the provisions of this ordinance, and they only when specially licensed.

Item, August 22, 1822: An ordinance. Articles (1) and (2) of the above ordinance of July 30 are suspended until December 15 in the case of slaves provided with certificates of character and covered by bonds for good behavior.

Item, February 1, 1823: An ordinance for a patrol. Ordered that the marshal divide the whole list of citizens subject to patrol duty into 30 squads, and that each squad do patrol duty for one night in each month. Exemption from patrol duty may be purchased at \$6 per year.

Item, March 22, 1823: Fines of \$1 each are imposed upon fifteen citizens for failure to perform patrol duty.

Item, January 7, 1824: Treasurer's report. Amount received in 1823 in fines for failure to do patrol duty, \$40.50.

Item, January 12, 1824: An ordinance repealing the above ordinance of February 1, 1823.

Item, January 31, 1831: An ordinance providing a new system of patrol. Ordered, that the marshal and three sergeants, with salaries of \$100 a year, shall command the patrol in succession. Five citizens are to serve each night. The patrol is to continue from 9 p. m. to 3 a. m. Persons failing to patrol or furnish substitutes are subject to fine from \$1 to \$5.

Item, February 2, 1825: An ordinance for organizing a town guard to replace the former patrol system. Citizens are permitted to volunteer and receive payment for services. The duty of the guard is to apprehend every slave between ten and sixty years of age found off his master's premises without a pass after the ringing of the market bell at night. Slaves apprehended are to be kept in the guardhouse till morning, and their owners notified. Each slave is to be released after 25 lashes on the bare back and the payment of \$1 by the owner.

Item, June 14, 1825: An ordinance amending the above ordinance by exempting slaves from whipping for the first offense.

Item, September 31, 1828: Upon the complaint of John Pitt, of the conduct of Rachel, a free woman of color, ordered that Rachel be required to remove from the house she now occupies, and that her guardian give bond and take out a license for her before November 15, to avoid the enforcement of the law in case of failure.

Item, January 23, 1829: Licenses issued to John Mitchell for Aaron, a free person of color, to W. H. Torrance, for Patsy, a free person of color; and Parmalee, her daughter; to Wm. Hudson, for Dinah, a woman slave; to Seaborn Jones for his slave Billy; to Wm. Green for Sally Freeman, a free person of color; to Wm. Y. Hansell for Wiley Woodward, a free person of color; to John Marler, for Esek, a slave.

Item, April 22, 1831: Ordered that the Secretary serve a citation on Edward Cary and that the marshal be directed to bring before this board a negro slave named Nathan belonging to the said Cary, on

Monday next, to answer the charge of assault and battery, on one of the patrol of the town and show cause why punishment should not be inflicted.

Item, April 24, 1831: In response to the above citation, Edward Cary appeared without the negro. He alleged that Richard Mayhorn had violated the ordinance of the town by transcending his authority as a patrol. The evidence of witnesses was introduced to substantiate Cary's statement. The board ordered that Richard Mayhorn be discharged from the service of the corporation.

Item, July 13, 1831: A patrol reported riotous conduct on the part of a negro named Hubbard, and charged Hubbard with cursing, assaulting, and bruising Billy Woodliff (a slave of Seaborn Jones?), at the door of Billy's shop. Billy Woodliff, being sworn, related how Hubbard abused and bruised him with a rock. Robert Mercer and Mr. Winter also testified. The fact was brought to light that Hubbard's attack upon Billy had been brought about by Billy having taken Hubbard's wife away from him. "The testimony being concluded, Mr. Wiggins addressed the board in a speech containing some *lengthy, strenthy, and depthy* argument; whereupon the board ordered that the negro man Hubbard receive from the marshal *ten* lashes, moderately laid on, and be discharged."

Item, February 12, 1830: Whereas the board has received information that Elijah H. Burritt has violated the statute of the last Georgia legislature by the introduction of certain insurrectionary pamphlets, resolved that the town marshal be directed to enter his name as prosecutor in the case, and that this board will pay all expenses necessary to bring the offender to punishment.

Item, September 13, 1831: Ordered, that the marshal and deputies use increased vigilance with regard to our black population, and particularly that they do not fail to visit every place at which there is an assembly of negroes, and in the event of religious meetings to treat them as the law directs for unlawful meetings, unless there is present at least one white person accepted by the church to which the society belongs.

The rise of the abolition agitation in the North in 1829 and 1831 and the Nat Turner insurrection in Virginia account, of course, for the policy of the board as indicated in the two items last noted above.

Item, October 5, 1831: The negro man Nathan, belonging to W. B. Hepburn, was brought before the board and examined relative to a suspected insurrection among the blacks. Whereupon, after due consideration of all the circumstances, it was ordered that, as nothing criminal has been proved against him, he be immediately discharged. The yellow man Richard Rogers, a preacher, was examined and likewise discharged. So also Aleck Reynolds, the blacksmith, and Casewell, a blacksmith belonging to Peyton Pitts. The board ordered that, whereas there has been considerable danger in the late excitement and alarm of an intention at insurrection, by firing guns and "by persons carrying arms that were intoxicated," and by boys

unable to bear arms, it be ordained that the marshal and patrols take away arms from intoxicated persons and boys and enforce the ordinance against firing arms in the streets."

The examination of these negroes suspected of conspiracy in 1831 and the trials of Nathan and Hibbard, noted above under dates of April 22 and 24 and July 13, 1831, appear to be the only instances recorded of negroes having been tried by the Milledgeville authorities for crimes or misdemeanors prior to the outbreak of the civil war.

Item, January 5, 1839: "On motion of Alderman Cook, Resolved that the Marshal be and he is hereby required to pay over to the Council immediately after the passage of this Resolution, all monies received by him for superintending the Balls given by the Colored People during the Christmas holidays, and that he be instructed not to receive in future any compensation for such services."

Item, December 19, 1839: Resolved that the board deem it improper to grant negroes the privilege of having balls at any other time than during the Christmas holidays, and then in the daytime, and that no consent shall be granted except upon the application of the owners or guardians of the negroes.

Item, January 21, 1841: Resolved upon petition, that the band of musicians composed of colored persons be allowed to practice in the old theater not later than 10 o'clock, until further ordered by the board; provided they obtain the services of some suitable white person to accompany them.

Item, July 15, 1841: An ordinance. It shall be the duty of the marshal and deputy to report any white persons disturbing the peace. (Elsewhere the marshal and deputy are directed to patrol and prevent negro disturbances and to report and bring to trial all white persons breaking the peace. The repetition of this ordinance at this time seems to indicate that an element among the whites had become especially troublesome.)

^aFurther light upon the anxiety and the excitement aroused by rumors of negro insurrections may be had from the newspapers of the time. The following items from one of the Milledgeville newspapers are illustrative:

"Federal Union, October 6, 1831. (Editorial.) Recent occurrences in sister States, together with various reported movements among the slaves in this vicinity, have rendered it prudent that proper vigilance should be used in the metropolis, and in common with other citizens the editors and workmen in our office have been for a day or two past engaged in this important duty. The subject is now under investigation by the civil authority of the town. The result is unknown, but the matter will be probed to the bottom, and if any seditious intentions exist they will probably be detected and punished in an exemplary way. Nothing definite up to this hour (12 o'clock on Wednesday) has been ascertained. A very exaggerated account reached us yesterday from a part of Jones County, but has not been confirmed. The town was ready for any emergency. While, therefore, we would not create any excitement through the State, we think it prudent for our fellow-citizens to be on the alert."

"Federal Union, October 13, 1831. NOTICE.—The military storekeeper of Milledgeville has received executive orders to collect the arms and ammunition distributed to the citizens on the 4th instant. Those persons who received such will please to make returns at the arsenal in this place immediately. Milledgeville, 12th October, 1831."

Item, September 18, 1854: The board resolves that the petition before them asking the privilege for the negroes of the city of erecting a church for their separate use upon the lands of the city can not be entertained unless it be signed by a majority of the citizens of Milledgeville.

Item, January 10, 1840: The board resolves to order the engraving of bills of the denominations of \$3, \$2, \$1, 50 cents, and 25 cents to the total amount of \$14,440.

Item, April 2, 1840: The change bills have arrived from Washington to the amount of \$7,357.50. The cost of engraving is \$200.

Item, April 4, 1840: The board resolves that these change bills be signed up and put into circulation as rapidly as possible in exchange for bank notes. Ordered, that no notes shall be issued unless a fund for their redemption is on hand equal to at least one-third of the amount proposed to be issued.

In this period of financial depression in the cotton belt bills of credit were issued by numerous town corporations. In the Southern Recorder, January 18, 1842, a newspaper printed at Milledgeville, a table of the rate of exchange is given. The notes of the Augusta city council are quoted at par, while those of Columbus, Macon, and Milledgeville are quoted at 15 per cent discount. For Savannah scrip, 1840, see Thos. Gamble, jr., History of the City Government of Savannah, Ga., from 1790 to 1901, pages 173-174.

Item, February 23, 1841: The street committee reported that they had hired for the present year the following-named hands from the persons whose names are thereunto annexed, viz:

Antoinette, of T. F. Greene, trustee.....	\$100.00
Isaac, of C. J. McDonald.....	150.00
Monday & Sam, of M. J. Kenan.....	250.00
Prince, Andrew & Prince, of Sarah Davis	375.00
Henry & Bill, of Emmon Bails	120.00
Andrew, of I. S. Wright	120.00
Joe, of James Smith	120.00
	<hr/>
	1,355.00

“Ordered, that notes be executed by the mayor to the owners of said hands for the several amounts above stated.”

Item, January 2, 1840: Rations of negroes hired by the town of Milledgeville. Each week, 1 peck of meal, 6 pounds of bacon, and 1 pint molasses in season.

Mention is made here and there also of potatoes, rice, and beef, seemingly for the negro hands. Corn was worth about 50 cents per bushel; bacon, 13 cents per pound. The town fed, clothed, and sheltered the negroes it hired. One pair pantaloons cost \$3; 1 round jacket, \$3; 1 shirt, \$1; 1 pair shoes, \$1.25 to \$1.50. The support of the hands and four mules in 1840 cost \$897.93. (Minutes, December 3, 1840.)

Corporation tax book, by years, 1825 to 1831 and 1840.

Real property liable to taxation, 1849, 1850, 1851.

Digest of taxes, 1825, 1830, 1846, 1859 to 1869.

The digest of taxes for 1859 gives a total of 335 taxpayers, of which 8 were free negroes. One of these had property assessed at \$440, and two others at \$75 each. The remainder paid poll tax alone. The real estate was valued at \$317,000 and the slaves at \$318,600. Taxes were levied as follows: On white males between 18 and 45 years of age, a poll tax of \$2; on white males between 16 and 18 and between 45 and 60, a poll tax of \$1; on free male persons of color between 16 and 60, a poll tax of \$10; on free female persons of color between 15 and 50, a poll tax of \$5; on slaves between 10 and 60 years of age, 40 cents for every \$100 of the returned valuation; on real estate and personal property, 40 cents on \$100; on merchandise, 50 cents on \$100; on money at interest, 30 cents on \$100; on peddlers, 10 per cent of their sales; on liquor shops, \$50 each; on billiard tables, \$25 each; on bagatelle tables, \$20 each; on tenpin alleys, \$25 each; on bakers, \$10 each; on forges, \$10 each; on printing offices, \$40 each; on bank agencies, \$100 each.

Accounts of the city government, 1840 to 1858.

City ledger, 1859 to 1862.

Record of city council expenditures, 1853 to 1878.

Cash book of the town treasurer, 1858 to 1869.

Entry under date of November 26, 1864: "By Amt. on hand captured by the Yankees, \$1,032.30."

Entry under date of March 3, 1863: "By Amt. paid for 8 candles, \$8. By Amt. paid for pr. of shoes, \$35."

Record of the police court of Milledgeville, 1854 to 1870.

This volume contains the record of some 480 misdemeanor cases tried in the mayor's court between 1854 and 1870. Of these none appear to have been against slaves or free persons of color before 1862.

Item, February 15, 1862: "The State *v.* Wm. a slave of Doct. G. D. Case. Disorderly & Disobedient Conduct. After hearing the testimony in the above case, [it] is ordered and adjudged that Doct. G. D. Case pay the cost and that the boy William receive Ten Lashes by the hand of the Marshal, and then be discharged."

Item, December 8, 1862: The State *v.* Hamilton, a slave. Retailing spirituous liquors. Pleaded guilty. Sentenced to 39 lashes.

Item, May 14, 1864: The State *v.* Viney, a slave. Using approbrious and impudent language to a white person. Sentenced to 39 lashes.

Item, July 26, 1865: "The State *v.* Jarratt (Freedman)." Petit larceny. Sentences to 10 days imprisonment in the guardhouse, to be fed on bread and water.

Item, August 17, 1865: "The State *v.* Charles Harris (Freedman)." Malicious mischief. Sentenced to a fine of \$25 or in default to be

kept in jail until the meeting of the superior court. The sentence was commuted to the wearing of ball and chain and working on the streets for 15 days.

Item, August 28, 1865: The State *v.* Anderson McComb, a freedman. Fighting. Sentenced to fine of \$5 or 5 days work on streets.

Item, August 28, 1865: Three cases of vagrancy against freedmen. Sentenced each to 5 days work on the streets.

Item, September 15, 1869: "The State *v.* Joseph Young, Colored." Drunkenness. Sentenced to \$5 fine or 6 days in jail.

From 1865 to 1869 the court followed the custom of sentencing white persons to fine or imprisonment in jail, while it sentenced negroes to fine or labor in the chain gang on the streets. After 1869 that distinction apparently ceased to be made. The change of phrases used for denoting negroes is curious. Before the war negroes not slaves were called "free persons of colour." In 1865 there is mention of "Charles Harris (Freedman)," and in 1869 of "Joseph Young, colored."

Census of the town of Milledgeville for the year 1828. Taken by Pryor Wright.

Summary: Total population, 1,599. Total whites, 831, of which 197 were males below 18 years of age, 288 were males above 18 years, and 346 were females. Male slaves under 18 years, 176; above 18 years, 159; total male slaves, 335, female slaves, 413; total slaves, 748; free persons of color, 20, of which 8 were males and 12 females.

Of 167 families, 31 had no slaves, 12 had 1 each, 17 had 2 each, 25 had 3 each, 9 had 4 each, 13 had 5 each, 10 had 6 each, 11 had 7 each, 6 had 8 each, 5 had 9 each, 6 had 10 each, 3 had 11 each, 2 had 12 each, 2 had 13 each, 1 had 14, 1 had 15, 1 had 17, 1 had 18, 1 had 19, 1 had 21.

Among the whites 12 were attorneys, 6 physicians, 21 merchants, 16 shopkeepers, 9 innkeepers, 21 printers, 26 house carpenters, 2 joiners, 5 blacksmiths, 6 boot and shoe makers, 4 silversmiths, 8 tailors.

The fact that the town was the State capital accounts for the large number of innkeepers and printers. The white families of the innkeepers were large and they were, as a class, the largest slaveholders in the town. (Of course no count was made in this census of the slaves who lived on outlying plantations, owned by citizens of the town.) The innkeepers had slaveholdings of 5, 5, 6, 12, 12, 14, 17, 19, and 21, respectively. The printers and a few merchants and several attorneys also had comparatively large numbers of slaves for townsmen. But, of course, the great mass of the slaves was upon the plantations and not in town. Eighty per cent of the white families in the town had slaves for domestic service. John Marlow is listed with 3 white men and 7 slaves, all of whom were carpenters. James Camak had 6 slaves, among whom one or two were apparently listed as printers. Wm. Y. Hausell had 10 slaves, among whom 1 was a carpenter, 1 a blacksmith, and 1 a cobbler. Billy Woodley (probably the Billy

Woodliff mentioned as a blacksmith in the minutes of the corporation, July 13, 1831, *supra*), is listed separate from any white person. All free negroes are listed under the names of their guardians.

The census taker, who was also the town marshal, possessed an inquisitive turn of mind. Though it was not set down in his instructions, he made jottings of 15 prostitutes, all of whom appear to have been white women. Of course there were other perhaps less openly professional women of the town among the negro population. The large number in this class was due to presence of numbers of legislators and other politicians in the town during the annual sessions of the general assembly.

Justice court docket, three hundred and twentieth district Georgia militia, 1841 to 1873.

Notary public criminal docket, three hundred and twentieth district Georgia militia, 1869 to 1871.

These justice and notary dockets are fugitive volumes which have happened to find lodgment in the office of the clerk of the town which lies in their proper militia district. The dockets themselves are of slight value, but miscellaneous jottings have been made in some of the volumes and render them of some interest.

The average number of cases in the justice court of the three hundred and twentieth district each year between 1844 and 1860 was about 100. But in 1862 there were but 13 cases, 5 cases in 1863, 3 cases in 1864, 15 cases in 1865, 29 cases in 1866, 50 in 1867, 24 in 1868, 24 in 1869, and 90 in 1870. The absence of litigation during the civil war and the early years of reconstruction is striking. Whether from paralysis of the local government or from the lack of personal discord this gives a new side light upon the old adage "inter armis leges silent."

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*New Light Upon the Founding
of Georgia*

NEW LIGHT UPON THE FOUNDING OF GEORGIA

ULRICH BONNELL PHILLIPS, Ph. D.

*Professor of History in the
University of Michigan*

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Edited by
James O. Stargis, Jr.
University of Georgia

It has long been known that the first 130 years of Georgia's history were a period of neglect and indifference. The state's early years were a period of neglect and indifference. The state's early years were a period of neglect and indifference. The state's early years were a period of neglect and indifference.

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The volume contains a collection of essays that shed new light on the founding of Georgia. The essays are written by leading historians and provide a comprehensive overview of the state's early years. The volume is a valuable resource for anyone interested in the history of Georgia.

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NEW LIGHT UPON THE FOUNDING OF GEORGIA.

ULRICH BONNELL PHILLIPS, Ph. D.
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It has long been known that the first Earl of Egmont was a leader in promoting the colonization of Georgia, and that he wrote a journal of the trustees' meetings¹ which is much more detailed than the official record. In addition, a voluminous private diary of his is now being printed as a public document of the British government. The first volume of this, which has now appeared,² containing about one-third of the manuscript and covering the years from 1730 to 1733, supplements greatly the knowledge previously available upon a wide variety of English affairs in the period. It reports elaborately a number of debates in Parliament which the official records have given only in the most fragmentary form; it illustrates vividly the manoeuvring of the politicians great and small; it tells many curious things of life in royal and aristocratic circles; and it shows the author to have been a high-minded courtier as well as an ardent philanthropist, a music lover, a collector of engravings, and a devoted husband and father, yet enough of a gossip withal to establish him now as a very notable diarist. More to

1 This is extant only for the years from 1733 to 1744. It was first printed privately by G. W. J. DeRenne as one of the Wormsloe Quartos: *John, Earl of Egmont, A Journal of the Trustees for establishing the Colony of Georgia in America*. Wormsloe, 1886 (edition limited to 49 copies); and is now more generally accessible as volume five of the *Georgia Colonial Records*.

2. Historical Manuscripts Commission. *Manuscripts of the Earl of Egmont. Diary of Viscount Percival, afterward First Earl of Egmont. Vol. 1. 1730-1733. Presented to Parliament by Command of His Majesty.* London, 1920. pp. XIX. 477. price two shillings.

the present purpose, the book adds materially to the previously existing knowledge of the inception of the Georgia project and the launching of the colony. At the time the diary opens¹ the author, then bearing the title of Viscount Percival in the peerage of Ireland² was forty-seven years of age and in the midst of social, political and philanthropic affairs. Prompted, as he relates,³ by a desire to be of service to the new king, George II, he had procured election from a family borough to the English House of Commons; and he had served under Oglethorpe's chairmanship on the Parliamentary committee for investigating conditions in the English prisons. Furthermore he had long been an intimate friend of Dean Berkeley⁴ who had sought through years to establish a college in America; and he also was a member of a board of trustees who adopted the name "the Associates of the Late Dr. Bray" and continued Bray's own work in two lines, the establishment of local religious libraries and the conversion of negroes to Christianity.⁵

The first two entries in the diary concerning Georgia project are so significant as to call for quotation at some length. Under date of February 13, 1730:

I met Mr. Oglethorp [sic] who informed that he had found a very considerable charity, even fifteen thousand pounds, which lay in trustees' hands, and was like to have been lost because the heir of the testator being one of the trustees, refused to concur with the other two in any methods for disposing of the money, in hopes, as they were seventy years old each of them, they would soon die, and he should remain only surviving trustee, and then might apply it all to his own use. That the two old men were very honest and desirous to be discharged of their burthen, and had concurred with him to get the matter lodged in a Master of Chancery's hands till new trustees should be appointed to dispose thereof in a way that should be approved of by them in conjunction with the Lord Chancellor. That the heir of the testator had opposed this, and there had been a lawsuit thereupon, which Oglethorp had carried against the heir, who appealed

1. January 8, 1730. The diary was probably begun at an earlier time, but if so the preceding portions have not been preserved.

2. He was raised to the Earldom of Egmont, also in the Peerage of Ireland, in August, 1733.

3. Diary, p. 20. The pages of the diary will not be cited where the dates of its items are given in the text of this study.

4. Cf. Benjamin Rand, *Berkeley and Percival*. Cambridge, 1914.

5. Cf. An excellent brief study, "The Philanthropists and the Genesis of Georgia", by Professor Verner W. Crane of Brown University, in the *American Historical Review* XXVII, 63 (October, 1921). Those who became Georgia trustees included all the trustees of the Dalone will and all of the Bray associates. Indeed the Georgia board in its own sessions handled the affairs of the Dalone and Bray legacies until May 1733, when upon discovery that this was irregular, the three administrations were separated. (*Diary*, pp. 378-382).

against the decree; but my Lord Chancellor had confirmed it, and it was a pleasure to him to have been able in one year's time to be able at law to settle this affair. That the trustees had consented to this on condition that the trust should be annexed to some trusteeship already in being, and that being informed that I was a trustee for Mr. Dalone's legacy, who left about a thousand pounds to convert negroes, he had proposed to me and my associates as proper persons to be made trustees of this new affair; that the old gentleman approved of us, and he hoped I would accept it in conjunction with himself and several of our Committee of Gaols, as Mr. Towers, Mr. Hughes, Mr. Holland, Major Selwyn, and some other gentlemen of worth, as Mr. Sloper and Mr. Vernon, Commissioner of the Excise. I told him it was a great pleasure to me to hear his great industry in recovering and securing so great a charity and to be joined with gentlemen whose worth I knew so well. . . . He then . . . said that he must tell me by the way, the old trustees of the fifteen thousand pounds would as yet allow but five thousand pounds to be under our management, which sum would answer the scheme; that the scheme is to procure a quantity of acres either from the Government or by gift or purchase in the West Indies, and to plant thereon a hundred miserable wretches who being let out of gaol by the last year's Act are, are now starving about the town for want of employment; that they should be settled all together by way of colony, and be subject to subordinate rulers, who should inspect their behaviour, and labour under one chief head; that in time they with their families would increase so fast as to become a security and defense of our possessions against the French and Indians of those parts; that they should be employed in cultivating flax and hemp, which being allowed to make into yarn, would be returned to England and Ireland, and greatly promote our manufactures. All which I approved.

Next under date of April I the following:

I called on Mr. Oglethorp, who kept me three hours and more explaining his project of sending a colony of poor and industrious debtors to the West Indies. . . . Our business is to get a Patent or Charter for incorporating a number of honest and reputable persons to pursue this good work. Mr. Oglethorpe told me that the number relieved by the last year's Act out of prison for debt are ten thousand, and that three hundred are returned to take the benefit thereof from Prussia, many of whom are woollen manufactuers.

These items go far toward extinguishing all possible doubts that the Georgia project originated in Oglethorpe's mind.¹ They indicate very strongly, in fact, that the plan was framed in all essentials before he communicated it to those who were to be his fellow trustees. Oglethorpe's account to Percival implies furthermore that it was the discovery of this fund, which had been bequeathed by "one King, a haberdasher" for unspecified charitable uses which

1. As to these doubts, see James P. McCain, *Georgia as a Proprietary Province*, pp. 60, 61.

suggested to Oglethorpe the thought of a charitable colony. The distresses of unemployment among the liberated debtor-prisoners, however, were doubtless already a matter of concern to him.

Incidentally it should be noted in connection with the passages quoted above, that the term "West Indies" was in those times often used to include the continent as well as the islands; and Oglethorpe's allusion to the protection of the English "possessions in those parts" against the French and Indians suggests an intention of a continental location from the first. Many times afterward the diary names "Carolina" as the intended location, and curiously it does not mention "Georgia" until May, 1732, the month following the signature of the charter by the king. The reason was that no name was adopted for the colony until many months after the inception of the project. Some of the chronology in the premises may be gathered from the proceedings of the Privy Council which have somewhat recently been published for this period.¹ It there appears that the first name proposed by the petitioners for themselves was "the Corporation for Establishing Charitable Colonys in America"; and the name "Georgia" does not occur until December 14, 1731.

The course of events concerning the charter itself may be traced from Percival's diary and the Acts of the Privy Council in combination. On July 30, 1730, Percival records: "we agreed on a petition to the King and Council for obtaining a grant of lands on the south-west of Carolina for settling poor persons of London, and having ordered it to be engrossed fair, we signed it, all who were present, and the other Associates were to be spoke also to sign it before delivered." This petition for a grant of land and a charter of incorporation was considered by the Privy Council on September 17, 1730, and was referred to a committee which in turn referred it, November 13, to the Board of Trade. In the report which this board promptly made, the

1. *Acts of the Privy Council of England Colonial Series. Vol. III. A. D. 1720-1735.* Hereford: Printed for His Majesty's Stationery Office. 1910. Price ten shillings. The proceedings in regard to the charter of Georgia are recorded in pages 299-305.

intending trustees found some objectionable details; and on January 12, 1731, the committee of the Privy Council referred it back to the Board of Trade along with proposed alterations, which concerned chiefly the power of appointing and removing civil and military officers in the colony. The board then consented to the vesting of this power in the trustees, and cordially recommended the incorporation of the petitioners and the grant to them of the land lying between the Savannah and "Alatamaha" rivers. The committee of the Privy Council endorsed this on November 18, and advised that the Attorney and Solicitor General be directed to prepare a draft of a charter accordingly; and on January 28 the Privy Council adopted this recommendation of its committee. When in the following June, however, the petitioners were informed of the terms of the charter as it came from the hands of the Attorney General, they were dissatisfied with its provisions concerning the terms of the councillors in office, the control of militia, and taxes on import and export trade.¹ The summer dispersion presumably prevented a meeting of the associates until September 7, when they determined to present arguments against the objectionable features. In November Oglethorpe had hopes of procuring a satisfactory revision; but when on January 19, 1732, the Privy Council's committee on "Plantation Affairs" voted in Percival's presence to approve the draft of the Charter, not all the changes requested had been made. Percival adds to his laconic relation of this episode: "and we concerned therein acquiesced in their pleasure, though against the grain."

All that now remained, it was thought, was mere formality; and, putting vigorous pressure upon the crown officials, the trustees expected a speedy issue. But the lapse of a month without decisive action brought a crisis. Percival wrote on February 18: "Perceiving an unaccountable delay in the putting his Majesty's seal to the Carolina charter, . . . all our gentlemen concerned as trustees are much

1. *Diary* p. 198

out of humor, and some are for flinging it up." Both he and Oglethorpe now made stringent protests and inquiries in high circles, which yielded the information, February 25, that the obstruction came from the king himself on the ground that the charter did not reserve the appointment of militia officers to the crown. At a meeting hastily summoned, the petitioners resolved not to accept a revision in this regard, for fear that it would cause the colony to be burdened with expensive placemen and impede the administration of government. By much running to and fro in the next few days the influence of the chief ministers was enlisted on their side; and the king, having yielded his objection, put his fiat upon the charter on January 26, and formally signed it on April 21, 1732.¹

The pressing problem now became that of finance. As to the bequest of King, the haberdasher, one of its trustees had long since developed doubts that the Georgia project was consonant with the testator's intentions; and apparently the Georgia trust never procured any part of that fund. On the other hand the estimate of expense had not shrunk. Percival wrote, April 23, 1732: "Captain Coram, who knew the West Indies well, had declared to me that we could not set out under 12,000 *l.* Mr. La Roche agreed we could not under 10,000*l.* I said that was too little, for every family will stand us in 100 *l.* at 20*l.* a head the bare fitting out with tools, clothes and transporting; besides which we were to maintain them in provisions a year when arrived, to build houses etc., and to erect a sort of fort, etc."² In default of any prospect of copious funds from private subscriptions, concerning which preliminary steps had long since been taken, the thoughts of the trustees were turning to the public treasury. They now

1. *Diary*, p. 260. The official date of the charter is June 9, but this merely marks the completion of routine procedure, the affixing of the seal. In the interim the trustees had expressed their thanks to the chief officers of state for the granting of the charter and proceeded to business as a virtually constituted body, though their first formal session was not held until July 20.

2. In the next month Lord Carteret, the veteran proprietor of the province of Carolina expressed the opinion to Percival that the first settlement should be begun with not less than a thousand persons, with resources of not less than £20,000 (*Diary*, p. 278).

devised a scheme of considerable adroitness. Having previously procured the approval of Walpole and the King, they caused petitions to be presented in the House of Commons, May 12, from residents of Westminster, Southwark and other localities in and about London, "complaining of the the great abuses and mischief arising from vagrants and beggars who have no settlement. It was intended by Mr. Oglethorpe and the other gentlemen concerned in the new intended settlement of colonies in South Carolina to ground thereupon a motion for addressing the King to grant 10,000 *l.* to us for transporting those vagrants and beggars under the age of sixteen to South Carolina, and bind them to masters we should send over; but an unexpected opposition arose against us," which balked the plan for that year.

On May 10, 1733, the question was revived in Parliament by a petition from the Georgia trustees. After Sir Robert Walpole had announced that the king had no objection to the granting of funds in aid of the colony, Sir Joseph Jekyl, Sir John Barnard, Horace Walpole and Colonel Bladen, as well as Oglethorpe and Percival, spoke in favor of a grant. On the other side Mr. Whitworth spoke against the giving of public money, and also Mr. Winnington who said "Our views of raising wine or silk or potashes might not answer, and we should buy our experience too dear." As to Whitworth's opposition, Percival confided to his diary: "I did not wonder at it, for he told me this morning that he was against enlarging our colonies, and wished New England at the bottom of the sea." The opponents were too few to prevent the prompt appropriation of £10,000.

Meanwhile, in October, 1732, although only £2000 had been procured in subscriptions,¹ the trustees resolved to plant the settlement. This resolution was against Percival's judgment; but Oglethorpe's decision to conduct the expedition in person diminished his apprehensions.² The

1. These included £600 from directors of the East India Company, £300 from the directors of the Bank of England, and £300 from the trustees of the Earl of Thanet's legacy (*Diary*, p. 392).

2. *Diary*, p. 293.

chief concern of the trustees now became the selection of persons to be sent "on the charity", the granting of lands, and the framing of laws. In these premises and in Georgia affairs in general after the summer of 1733, the diary adds little to previous knowledge; for on the one hand the official journal of the trustees embodies all important data, and on the other hand Percival had his interest now distracted for many months by other matters. There are nevertheless in the diary, early and late, many more Georgia items than have here been noted; and no future research may neglect the scanning of its every page.

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